

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

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| Date of mailing (day/month/year) 31 August 2006 (31.08.2006) | |
| Applicant's or agent's file reference FP04-0459-00 | IMPORTANT NOTIFICATION |
| International application No. PCT/JP2004/018594 | International filing date (day/month/year) 13 December 2004 (13.12.2004) |
| Applicant HAMAMATSU PHOTONICS K.K. et al | |

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

| | |
|---|---|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland | Authorized officer Masashi Honda |
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

| | | | |
|--|--|---|------------------|
| Applicant's or agent's file reference FP04-0459-00 | FOR FURTHER ACTION | | See item 4 below |
| International application No. PCT/JP2004/018594 | International filing date (<i>day/month/year</i>) 13 December 2004 (13.12.2004) | Priority date (<i>day/month/year</i>) 09 January 2004 (09.01.2004) | |
| International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237 | | | |
| Applicant HAMAMATSU PHOTONICS K.K. | | | |

- This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).
- This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
- This report contains indications relating to the following items:

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|--|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report |
| <input type="checkbox"/> Box No. II | Priority |
| <input type="checkbox"/> Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> Box No. VI | Certain documents cited |
| <input type="checkbox"/> Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> Box No. VIII | Certain observations on the international application |
- The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

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| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70 | Date of issuance of this report 22 August 2006 (22.08.2006) |
| | Authorized officer Masashi Honda e-mail: pt08@wipo.int |

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

TRANSLATION
PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

| | | | |
|---|--|---|--|
| To: | | WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1) | |
| | | | |
| Applicant's or agent's file reference FP04-0459-00 | | Date of mailing (day/month/year) | |
| International application No. PCT/JP2004/018594 | | FOR FURTHER ACTION See paragraph 2 below | |
| International filing date (day/month/year) 13.12.2004 | | Priority date (day/month/year) 09.01.2004 | |
| International Patent Classification (IPC) or both national classification and IPC | | | |
| Applicant HAMAMATSU PHOTONICS K.K. | | | |

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

| | |
|--|--------------------|
| Name and mailing address of the ISA/IP | Authorized officer |
| Facsimile No. | Telephone No. |

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/018594

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/018594

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|-----------------------|-----|
| Novelty (N) | Claims | 1-14 | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | 2-3, 5-6, 9-10, 12-13 | YES |
| | Claims | 1, 4, 7-8, 11, 14 | NO |
| Industrial applicability (IA) | Claims | 1-14 | YES |
| | Claims | | NO |

2. Citations and explanations:

Document 1: WO 02/22301 A1 (Hamamatsu Photonic Kabushiki Kaisha), 21 March 2002, Page 51, line 3 to page 54, line 13; page 99, line 6 to page 103, line 24; Figs. 14-15 and 89-95

Document 2: JP 4-244910 A (NEC Corp.), 01 September 1992, Column 1, line 22 to column 2, line 11; Fig. 3

The inventions of claims 1, 4, 7-8, 11 and 14 do not appear to involve an inventive step based on document 1 (page 51, line 3 to page 54, line 13; page 99, line 6 to page 103, line 24; Figs. 14-15 and 89-95) and document 2 (column 1, line 22 to column 2, line 11; Fig. 3) cited in the ISR. Using the configuration for controlling the focal position based on the result of detecting the deviation of the focal position from a prescribed position described in document 2 for the laser beam machining means/system forming a modified area inside an item for processing along a predetermined cutting line on the surface of the item for processing as described in document 1 would be easy for a person skilled in the art.

The inventions of claims 2-3, 5-6, 9-10 and 12-13 are neither described in any of the documents cited in the ISR nor obvious to a person skilled in the art.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/018594

Box No. VI Certain documents cited

1. Certain published documents (Rule 43bis.1 and 70.10)

| Application No. Patent No. | Publication date (day/month/year) | Filing date (day/month/year) | Priority date (valid claim) (day/month/year) |
|-------------------------------|--------------------------------------|---------------------------------|---|
| JP 2004-188422 A | 08.07.2004 | 06.12.2002 | |
| [E, A] | | | |
| JP 2004-337903 A | 02.12.2004 | 14.05.2003 | |
| [E, A] | | | |
| JP 2004-337902 A | 02.12.2004 | 14.05.2003 | |
| [E, A] | | | |

2. Non-written disclosures (Rule 43bis.1 and 70.9)

| Kind of non-written disclosure | Date of non-written disclosure (day/month/year) | Date of written disclosure referring to non-written disclosure (day/month/year) |
|--------------------------------|--|---|
| | | |